

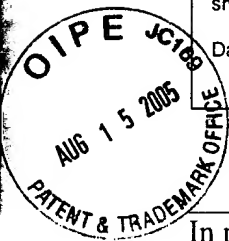
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Dated: August 15, 2005

Signature:

Georgina Matos
(Georgina Matos)

Docket No.: 342312003801
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Larry A. LAREW et al.

Application No.: 09/942,458

Group Art Unit: 1654

Filed: August 29, 2001

Examiner: R. Teller

For: ECHINOCANDIN/CARBOHYDRATE
COMPLEXES

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW
AND
COMMUNICATION

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicants concur with the majority of the Examiner's statements in the Interview Summary. Namely, during the telephonic interview on June 21, 2005 between Applicants' patent agent, Kimberly A. Bolin, and Examiner Teller, agreement was reached with respect that upon the cancellation of claims 7-19, 24-27, and 35-40, the obviousness-type double patenting and 35 U.S.C. §103 rejections would be withdrawn.

However, the applicants note that the Examiner further states in his Interview Summary that he had agreed to rejoin claims 35-40, when, in fact he had agreed to rejoin claims 28-34. As the Notice of Allowability states that claims 1-6, 20-23 and **28-34** are allowed, the Applicants suggest that the second recitation of the phrase "claims 35-40" (with regard to rejoinder) is a typographical error, and that the Examiner intended to state that claims 28-34 would be rejoined, consistent with

the Notice of Allowability.

The Applicants thank the Examiner for his willingness to discuss this case.

The Applicants, however, do request that Examiner return a copy of the initialed PTO SB/08 filed with the Supplemental Information Disclosure Statement (SIDS) filed with the Office on April 25, 2005. The Applicants note that this SIDS appears on the USPTO PAIRS database transaction record dated April 25, 2005 and that the Applicants also alerted the Examiner to the filing of this SIDS in their "Remarks" submitted with the Office Action response filed with the Office on June 30, 2005 (the action immediately prior to the Notice of Allowability). The Applicants note that the PTO SB/08 submitted with the SIDS co-filed with the June 30, 2005 has been initialed and returned to the Applicant and therefore suggest that the failure to return the initialed PTO SB/08 of April 25, 2005 was simply an oversight.

The Applicants have left detailed voicemail messages, stating the above information, with the Examiner on August 11th and 12th 2005. The Applicants respectfully request return of the initialed SB/08 and would be obliged to hear from the Examiner. Should any of the referenced cited in the SB/08 be missing, the Applicants are happy to submit copies upon request.

The Applicants believe that no fee is due in connection with this communication. However, in the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **342312003801**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 15, 2005

Respectfully submitted,

By 

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